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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,294	12/04/2001	Cheng-Shing Lai	3313-0438P-SP	8941
2292	7590	10/04/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			SHARMA, SUJATHA R	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/000,294	Applicant(s) LAI ET AL.	
	Examiner Sujatha Sharma	Art Unit 2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1,13,14 is rejected under 35 U.S.C. 102(b) as being anticipated by Kim [2003/0008677].

Regarding claims 1,13,14 Kim discloses a method of providing replaceable sliding/protective cover for a foldable type portable phone/PDA comprising:

- a body with at least one display panel; see summary of invention and page 1, paragraph 25
- a protective cover, with a window opening, connected to the PDA body for sliding relative to the PDA body to a first position for completely exposing the display panel and to a second position for covering the display panel with exposing part of the display panel corresponding to the window opening. See figs 306 and page 2, paragraphs 28,29

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Kim does not disclose explicitly disclose a method of providing a cover for a PDA.

However the examiner takes official notice that PDA functionalities such as calendar, phone directory etc. is inherent in the state of the art phones.

Regarding claims 2,12 Kim discloses a method wherein the phone/PDA body and the protective cover respectively have a sliding groove and a locking hook and change relative position by the sliding groove and the locking hook sliding on each other. See page 2, paragraphs 28,29 and fig. 7.

Regarding claim 3, Kim further discloses a method wherein the PDA body has a blocker for preventing the locking hook from breaking away from the sliding groove in the first position. See page 2, paragraph 29 and Fig. 7, element 32.

Regarding claim 5, Kim further discloses a method wherein the PDA body and the protective cover respectively have a locking blocker and a locking groove and the locking blocker and the locking groove lock each other for restricting the protective cover from sliding freely relative to the PDA body in the second position. See page 2, paragraphs 28-33.

Regarding claim 7, Kim discloses a method wherein the PDA body has a hole for fitting the display panel and the display panel has a raising rim coupled with the window opening for forming a tiny display window in the second position. See Fig. 8.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4,6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim [2003/0008677] in view of Headon [US 6,324,386].

Regarding claims 4,6, Kim discloses all the limitations as discussed in treating claim 3. However he fails to disclose a method wherein the blocker is flexible.

Headon, in the same filed of endeavor, teaches a mobile phone having foldable cover. He further teaches a method where in the blocker for preventing the locking hook from breaking away from the sliding groove in the first position is a flexible blocker. See col. 4, lines 1-11 and col. 5, lines 24-27.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Headon to Kim in order to open and close the cover for the phone/PD device with ease and provide the device with a less substantial hinge mechanism.

5. Claims 8,9,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim [2003/0008677] in view of Sirola [US 2001/0012769].

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Regarding claims 8,9,11 Kim discloses all the limitations as claimed. However he does not disclose a method wherein the surface of the protective cover has a plurality of function keys.

Sirola, in the same field of endeavor, teaches a PDA with a protective transparent cover wherein the surface of the protective cover has a plurality of function keys. See page 2, paragraph 7.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Sirola to Kim in order to permit the user the ease of using the phone/PDA functions even with the cover closed.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim [2003/0008677] in view of Kishimoto [US 2002/0094846].

Regarding claim 10, Kim discloses all the limitations as disclosed. However, he does not disclose a method wherein the picture viewing area changes relevant to the phone functions and PDA functions.

Kishimoto, in the same field of endeavor teaches a method where the display region position and size is changed in accordance with the contents of the information to be displayed. See col. 6, paragraphs 81-83

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Kishimoto to Kim in order to reduce the electricity consumption of the portable device.

*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Humphreys [US 2002/0065054]      Mobile station and elastomeric cover

Sirola [US 2001/0012769]      Wireless communication device and a method of  
manufacturing a wireless communication device

Wong [US 2003/0083019]      Lightweight mobile station

Lai [US 6,519,142]      Electronic device having removable cover

Berners [DE 019961707A1]      Cover and arrangement of mobile telephone with cover  
glued to front face


Horie [JP 2000299719A]      Portable telephone

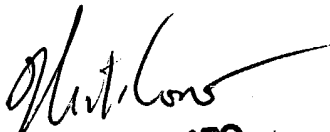
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 703-305-5298. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sujatha Sharma  
September 21, 2004

  
**NICK CORSARO**  
**PRIMARY EXAMINER**